

**FILED**

03/21/2022

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
Roger A.G. Sharpe, Clerk**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA***[This form is for prisoners to challenge one State court conviction or one probation/parole revocation proceeding.**If you want to challenge more than one, you must file a separate form for each one.**If you are challenging a prison disciplinary proceeding or a federal conviction, you need a different form.]***28 U.S.C. § 2254 HABEAS CORPUS PETITION BY A PERSON IN STATE CUSTODY**

Name (under which you were convicted): <u>William Crockett</u>	Case No. [For a new case in this court, leave blank. The court will assign a case number.]  1:22-cv-00556-JPH-TAB
Place of Confinement: <u>New Castle Correct. Facility - Mark Sevier, Warden</u>	

*[Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court. NEATLY print in ink (or type) your answers.]***CONVICTION AND SENTENCE**

1. What State court entered the judgment you are challenging? St. Joseph
- Criminal case number: 71D01-0340-MR-00027. Did you plead guilty? ☐ Yes. ☒ No.
- Length of sentence: 65 yrs.. Date of sentencing: 1/25/2005
- Crime(s) for which you were sentenced: murder

**PROBATION/PAROLE REVOCATION**

2. Are you challenging a probation/parole revocation? ☒ No. ☐ Yes, the revocation hearing was held on:     /    /
- by      and I was revoked because

*[For a challenge to a revocation proceeding, list only direct appeals, post-conviction relief petitions, and other collateral attacks that were associated with challenging the revocation.]***DIRECT APPEAL** *[Do not include post-conviction relief petitions or other collateral attacks in this section.]*

3. Did you directly appeal to the Court of Appeals of Indiana? ☐ No. ☒ Yes, case number:
- Result: Affirmed - Trial Court's Decision. Date of result:     /    /
- Did you seek transfer to the Indiana Supreme Court? ☐ No. ☐ Yes, case number:
- Result: Denied due to untimely. Date of result:     /    /
- Did you petition for certiorari to the United States Supreme Court? ☐ No. ☐ Yes, case number:
- Result: Denied. Date of result:     /    /

### **FIRST POST-CONVICTION RELIEF PETITION**

4. Did you file a post-conviction relief petition in State court? ☐ No. ☒ Yes, case number: \_\_\_\_\_  
Name of court: St. Joseph. Date of filing: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Result: \_\_\_\_\_. Date of result: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Did you appeal to the Court of Appeals of Indiana? ☒ No. ☐ Yes, case number: \_\_\_\_\_  
Result: \_\_\_\_\_. Date of result: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Did you seek transfer to the Indiana Supreme Court? ☒ No. ☐ Yes, case number: \_\_\_\_\_  
Result: \_\_\_\_\_. Date of result: \_\_\_\_/\_\_\_\_/\_\_\_\_

### **OTHER COLLATERAL ATTACKS**

5. Other than the cases listed above, have you filed anything else in State court challenging this conviction or revocation?  
☒ No. ☐ Yes, I filed: \_\_\_\_\_. Case number: \_\_\_\_\_  
Name of court: \_\_\_\_\_. Date of filing: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Result: \_\_\_\_\_. Date of result: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Did you appeal to the Court of Appeals of Indiana? ☐ No. ☐ Yes, case number: \_\_\_\_\_  
Result: \_\_\_\_\_. Date of result: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Did you appeal to the Indiana Supreme Court? ☐ No. ☐ Yes, case number: \_\_\_\_\_  
Result: \_\_\_\_\_. Date of result: \_\_\_\_/\_\_\_\_/\_\_\_\_  
6. Have you challenged this conviction or revocation in federal court? ☐ No. ☐ Yes, case number: \_\_\_\_\_  
Name of court: \_\_\_\_\_. Result: \_\_\_\_\_  
7. Have you challenged this conviction or revocation in any other case or appeal? ☐ No. ☐ Yes. [Attach an additional sheet listing the nature of the proceeding, court, case number, file date, judgment date, and result.]

### **FILING FEE** [The fee for filing this habeas corpus petition is \$5.00.]

8. Are you paying the \$5.00 filing fee?

- ☒ Yes, I have authorized prison officials to deduct the money from my prisoner trust fund account and send it to the court.  
☐ No, I have attached a separate Prisoner Motion to Proceed In Forma Pauperis AND a copy of my inmate trust fund ledger for the past six months BECAUSE I have less than \$15.00 now AND I have received an average of less than \$15.00 a month during the past six months.

## **GROUND S RAISED IN THIS HABEAS CORPUS PETITION**

[State every ground on which you are being held in violation of the Constitution, laws, or treaties of the United States. Write the facts supporting each ground. Use simple English words and sentences. Do not use legal terms or quote from cases or statutes. If you want to submit a legal brief or arguments, attach a separate memorandum.]

### **CAUTION:**

**If you do not present every ground in this petition, you may be barred from doing so later.**

**GROUND ONE:** [Briefly describe your claim.] Ineffective Assistance of Counsel

**Supporting Facts:** [Do not argue or cite law. Just state the specific facts that support your claim.]

County Jail Time is not correct. Ineffective Counsel for failure to raise this in the trial court.

Did you present Ground One to the Indiana Supreme Court? ☐ Yes - Explain when and how. ☒ No - Explain why not.

Counsel informed me he was going to, but failed to do so.

**GROUND TWO:** [Briefly describe your claim.] Ineffective Assistance of Post Conviction Counsel.

**Supporting Facts:** [Do not argue or cite law. Just state the specific facts that support your claim.]

Failure to raise Ineffective of Appellate Counsel on appeal from the post conviction court.

Did you present Ground Two to the Indiana Supreme Court? ☐ Yes - Explain when and how. ☒ No - Explain why not.

Counsel informed me he was going to, but failed to do so.

**GROUND THREE:** [Briefly describe your claim.] Violation of Due Process.

**Supporting Facts:** [Do not argue or cite law. Just state the specific facts that support your claim.]

Violation of Right of Due Process for failure to identify me by name. During trial, I was referred to as William Crockett during sentencing, it was William Benard Crockett, when my full name is William Bernard Crockett III.

Did you present Ground Three to the Indiana Supreme Court? ☐ Yes - Explain when and how. ☐ No - Explain why not.

**GROUND FOUR:** [Briefly describe your claim.] Ineffective Assistance of Counsel for failure to challenge the sufficiency of Evidence on Appl.

**Supporting Facts:** [Do not argue or cite law. Just state the specific facts that support your claim.]

Failure to challenge the evidence on appeal. As there was no murder weapon found in my possession, Counsel also failed to challenge the sufficiency of the autopsy report, thus creating a conflict of interest. There two(2) types of guns different than gun shown at court, as stated on report.

Did you present Ground Four to the Indiana Supreme Court? ☐ Yes - Explain when and how. ☐ No - Explain why not.